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Effective on 12/08/2004.  
Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).**FEE TRANSMITTAL**  
**For FY 2008**☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 510.00

**Complete if Known**

Application Number	10/718,642
Filing Date	November 4, 2003
First Named Inventor	LEUNG
Examiner Name	DAM, KIM LYNN
Art Unit	2179
Attorney Docket No.	YOR920030362US1

**METHOD OF PAYMENT (check all that apply)**☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_☒ Deposit Account Deposit Account Number: 50-0481 Deposit Account Name: MCGINN IP LAW GROUP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**FEE CALCULATION****1. BASIC FILING, SEARCH, AND EXAMINATION FEES**

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	310	155	510	255	210	105	
Design	210	105	100	50	130	65	
Plant	210	105	310	155	160	80	
Reissue	310	155	510	255	620	310	
Provisional	210	105	0	0	0	0	

**2. EXCESS CLAIM FEES**

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	210	105
Multiple dependent claims	370	185

Total Claims	Extra Claims	Fee (\$)	Fee Paid (\$)	Multiple Dependent Claims	Fee (\$)	Fee Paid (\$)
- 20 or HP =	x	=				

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims	Extra Claims	Fee (\$)	Fee Paid (\$)
- 3 or HP =	x	=	

HP = highest number of independent claims paid for, if greater than 3.

**3. APPLICATION SIZE FEE**

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$260 (\$130 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof	Fee (\$)	Fee Paid (\$)
- 100 =	/ 50 =	(round up to a whole number) x	=	

**4. OTHER FEE(S)**

Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): Filing a brief in support of an appeal under 37 C.F.R. 41.20(b)(2) 510.00

**SUBMITTED BY**

Signature	<i>Donald J. Lecher</i>	Registration No. (Attorney/Agent) 41,933	Telephone 703-761-4100
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This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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YOR920030362US1/YOR.488



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES**

In re Patent Application of

**LEUNG, Ying Tat**

Serial No.: 10/718,642

Group Art Unit: 2179

Filed: November 24, 2003

Examiner: DAM, KIM LYNN

For: **LAPTOP COMPUTER INCLUDING A TOUCH-SENSITIVE DISPLAY AND  
METHOD OF DRIVING THE LAPTOP COMPUTER**

Honorable Commissioner of Patents  
Alexandria, Virginia 22313-1450

**APPELLANT'S BRIEF ON APPEAL**

Sir:

Appellant respectfully appeals the Final Rejection of claims 1-2 and 4-10, 12-14 and 16-25 in the Final Office Action dated June 6, 2007. A Notice of Appeal was timely filed on November 2, 2007, with a Petition for a One-Month Extension of Time and corresponding extension of time fee.

**I. REAL PARTY OF INTEREST**

The real party of interest is LENOVO, assignee of 100% interest of the above-referenced patent application.

**II. RELATED APPEALS AND INTERFERENCES**

There are no other appeals or interferences known to Appellant, Appellant's legal representative or Assignee, which would directly affect or be directly affected by or have a bearing on the Board's decision on this appeal.

**III. STATUS OF CLAIMS**

Claims 1-2 and 4-10, 12-14 and 16-26, all of the claims in the Application, are set forth fully in the attached Appendix.

Claims 1-2, 4-10, 12-14, 16-17, 20 and 22-25 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317.

Claims 18-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317, further in view of Huffman et al., U.S. Pat. No. 5,761,682.

Claim 21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317, further in view of Stanek, U.S. Pat. No. 5,936,554.

Appellant respectfully appeals the rejections of claims 1-2, 4-10, 12-14, 16-17, 20 and 22-25 under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No.

2004/0021681, (Liao), further in view of Dardick, U.S. Pat. App. No. 2002/0075317, (Dardick), which is the first issue in this Appeal.

Appellant respectfully appeals the rejections of claims 18-19 under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317, (Liao and Dardick), further in view of Huffman et al., U.S. Pat. No. 5,761,682, (Huffman), which is the next issue in this Appeal.

Appellant respectfully appeals the rejections of claim 21 under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317, (Liao and Dardick), further in view of Stanek, U.S. Pat. No. 5,936,554, (Stanek), which is the next issue in this Appeal.

#### **IV. STATUS OF AMENDMENTS**

An After Final Amendment under 37 C.F.R. § 1.116 was filed on September 6, 2007. In the Advisory Action dated September 26, 2007, however, the Examiner indicated that the After Final Amendment filed on September 6, 2007 was not entered. A Request for Continued Examination (RCE) was filed on October 31, 2007 to force entry of the After Final Amendment filed on September 6, 2007. Therefore, the claims in the Appendix reflect the version of the claims in the After Final Amendment filed on September 6, 2007.

A Notice of Appeal was timely filed on November 2, 2007, with a Petition for an Extension of Time and corresponding Extension of Time Fee.

Therefore, the claims are pending as set forth in the Appendix.

## V. SUMMARY OF THE CLAIMED SUBJECT MATTER

The claimed invention of exemplary claim 1 (and similarly claims 8, and 22-25) is directed to a laptop computer including a first display and a second display attachable to the first display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user-interface, wherein the user-interface is reconfigurable to move a key within the user-interface.

Referring to the exemplary embodiments of the invention depicted in Figs. 1-6, the following tables refer to the subject matter defined in each claim involved in this appeal by referring to the specification by page and line number and to the reference numbers of the drawings. Appellant notes, however, that the claims should not be construed as limited necessarily to the exemplary embodiments depicted in the drawings and described at the specified page and line numbers of the specification.

<b>Claim 1</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
A laptop computer comprising:	100	Page 8, lines 2-4.
a first display; and	120	Page 8, line 3-4.
a second display attachable to the first display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user-interface,	110	Page 8, lines 2-3.
wherein said user-interface is reconfigurable to move a key within the user-interface.	320	Page 8, lines 8-14, and page 12, lines 6-16.

<b>Claim 2</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The computer of claim 1, wherein the second display is rotatably attachable to the first display.	120 110	Page 8, lines 2-4.

<b>Claim 4</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The computer of claim 1, wherein the user-interface comprises a keyboard.	320	Page 9, lines 9-15.

<b>Claim 5</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The computer of claim 1, wherein the user-interface comprises a pointing device.	350	Page 14, lines 1-5.

<b>Claim 6</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The computer of claim 1, wherein the user-interface is reconfigurable in accordance with an instruction from a software application being executed on the laptop computer.		Page 8, lines 8-14.

<b>Claim 7</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The computer of claim 1, wherein the first display comprises a touch-sensitive display.	120	Page 8, line 2.

<b>Claim 8</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
A method of driving a laptop computer having a first display attachable to a second display that is touch-sensitive, the method comprising:	300, 310, 330	Page 11, lines 8-13.
displaying a user-interface on the second display;	320/340	Page 11, lines 10-13.
receiving an input from the user-interface; and	704	Page 17, lines 11-13.
reconfiguring the user-interface by moving a key within the user-interface.		Page 8, lines 8-14, and page 12, lines 6-16.

<b>Claim 9</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, wherein the first display is rotatably attachable to the second display.	110	Page 8, lines 2-4.

<b>Claim 10</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, wherein the user-interface comprises a keyboard.	320	Page 9, lines 9-15.

<b>Claim 12</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, wherein reconfiguring the user-interface comprises reconfiguring the user-interface in response to an application state.		Page 12, lines 8-11.

<b>Claim 13</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, wherein reconfiguring the user-interface comprises reconfiguring the user-interface in response to a user preference.		Page 13, lines 3-6.

<b>Claim 14</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, wherein reconfiguring the user-interface comprises reconfiguring the user-interface in response to a user instruction.		Page 3, line 2.

<b>Claim 16</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, further comprising displaying a hot key that triggers the execution of a plurality of instructions in accordance with a state of the laptop computer.		Page 12, lines 8-11.

<b>Claim 17</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, further comprising displaying an application result.		Page 14, line 6 to page 15, line 12.

<b>Claim 18</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 17, wherein displaying an application result comprises displaying a first page of an electronic book on one of the first display and the second display.		Page 15, lines 5-12.

<b>Claim 19</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 18, wherein the displaying of the application result further comprises displaying a second page of an electronic book on the other one of the first display and the second display.		Page 15, lines 5-12.

<b>Claim 20</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, further comprising displaying a drop-down menu on the second display.	340	Page 13, lines 13-18.

<b>Claim 21</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The method of claim 8, wherein displaying the user-interface comprises displaying a color-coded keyboard.		Page 13, lines 5-6.

<b>Claim 22</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
A signal-bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processor for driving a laptop computer having a first display attachable to a second display that is touch-sensitive apparatus, the program comprising:	600	Page 16, line 18 to page 17, line 4.
instructions for displaying a user-interface on the second display;	702	Page 17, lines 9-11.
instructions for receiving an input from the user-interface; and	704	Page 17, lines 11-13.
instructions for reconfiguring the user-interface by moving a key within the user-interface.		Page 17, lines 19-23.

<b>Claim 23</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
A laptop computer comprising:	300	Page 11, lines 8-13.
a first display;	310	Page 11, lines 8-13.
a second display that is touch sensitive and attached to the first display;	330	Page 11, lines 8-13.
means for displaying a user-interface on the second display;	340	Page 11, lines 10-13.



<b>Claim 23</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
means for receiving an input from the user-interface; and	704	Page 17, lines 11-13.
means for reconfiguring the user-interface by moving a key within the user-interface.		Page 8, lines 8-14, and page 12, lines 6-16.

<b>Claim 24</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
A method of providing a display for a laptop computer, the method comprising:	300	Page 11, lines 8-13.
providing a first display; and	310	Page 11, lines 8-13.
providing a second display attachable to the first display,	330	Page 11, lines 8-13.
wherein the second display comprises a touch-sensitive display that displays a reconfigurable user-interface,	320/340	
wherein said user-interface is reconfigurable to move a key within the user-interface.		Page 8, lines 8-14, and page 12, lines 6-16.

<b>Claim 25</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
A laptop computer comprising:	300	Page 11, lines 8-13.
a first display; and	310	Page 11, lines 8-13.
a second display attachable to the first display, wherein the second display comprises a customizable user-interface,	330 320/340	Page 11, lines 8-13.
wherein said customizable user-interface is reconfigurable to move a key within the user-interface.		Page 8, lines 8-14, and page 12, lines 6-16.

<b>Claim 26</b>	<b>Ref. Nos.</b>	<b>Specification References</b>
The computer of claim 1, wherein said user-interface is further reconfigurable to one of:		
remove a key from the user-interface;		Page 12, lines 11-14.
change a label on a key on a user-interface; and		Page 12, line 13.
change a color of a key on the user-interface.		Page 13, lines 3-6.

## **VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL**

The ground presented for review by the Board of Patent Appeals and Interferences is whether independent claims 1, 8 and 21-25, and dependent claims 2, 4-7, 9-10, 12-14, 16-21 and 26 are unpatentable under 35 U.S.C. § 103(a) over Liao, U.S. Pat. App. No. 2004/0021681, in view of Dardick, U.S. Pat. App. No. 2002/0075317, further in view of Huffman et al., U.S. Pat. No. 5,761,682 (claims 18-19), and further in view of Stanek, U.S. Pat. No. 5,936,554 (claim 21).

## **VII. ARGUMENT**

### **A. THE EXAMINER'S POSITION**

In the Final Office Action mailed June 6, 2007, the Examiner rejected:

claims 1-2, 4-10, 12-14, 16-17, 20 and 22-25 under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317;

claims 18-19 under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317, further in view of Huffman et al., U.S. Pat. No. 5,761,682; and

claim 21 under 35 U.S.C. §103(a) as being unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317, further in view of Stanek, U.S. Pat. No. 5,936,554.

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681 further in view of Dardick, U.S. Pat. App. No. 2002/0075317 disclosed regarding claim 1, (and similarly independent claims 8 and 21-25), a “*a laptop computer (Abstract, lines 1-20; Figure 1)*

*comprising: a first display (Figure 1, element 105); and a second display attachable to the first display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user-interface (Figure 1, element 107; Paragraph 0029, lines 1-11; Abstract, lines 2025; Paragraph 0011, lines 8-13), Liao did not specifically disclose wherein said user-interface is reconfigurable to move a key within the user-interface, remove a key from the user-interface, change a label on a key on a user-interface, or change a color of a key on the user-interface. However, in an analogous art, Dardick disclosed the above limitations (Page 1, paragraph [0008], lines 1-5; paragraph [0016], lines 6-9; Claims 2 and 7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Dardick into the user-interface of Liao since it allows for customization of touch-sensitive user-interfaces (Dardick: Page 1, paragraph [0008], lines 1-5; paragraph [0016], lines 6-9),” (see Office Action mailed June 6, 2007, at pages 2-9).*

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317 further in view of Huffman et al., U.S. Pat. No. 5,761,682 disclosed a “*wherein displaying an application result comprises displaying a first page of an electronic book on one of the first display and the second display. However, Huffman disclosed the above limitation (Column 5, lines 44-46; Figure 2). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Huffman for the purpose of allowing users to more easily read pages of an electronic book. Regarding claim 19, the rejection of claim 17 is incorporated. Liao and Dardick not specifically disclose wherein the displaying of the application result further comprises displaying a second page of an electronic book on the other one of the first display and the second display. However, Huffman disclosed the above limitation (Column 5, lines*

44-46; Figure 2). *It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Huffman for the purpose of allowing users to more easily read pages,*" (see Office Action mailed June 6, 2007, at page 10).

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317 further in view of Stanek, U.S. Pat. No. 5,936,554 disclosed a "*wherein displaying the user-interface comprises displaying a color-coded keyboard. However, Stanek disclosed the above limitation (Column 2, lines 5-8). It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the teachings of Stanek in order to allow users to more easily discern keys and makes a keyboard more user-friendly (Column 2, lines 1-8),*" (see Office Action mailed June 6, 2007, at page 11).

## **B. APPELLANT'S POSITION**

To summarize, Appellant submits that in the Examiner's position is flawed as a matter of fact and law. Thus, claims 1-2, 4-10, 12-14, 16-17, 20 and 22-25 are not unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 further in view of Dardick, U.S. Pat. App. No. 2002/0075317, (as well as claims 2, 4-7, 9-10, 12-14, 16-21 and 26, which depend therefrom), claims 18-19 are not unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317 further in view of Huffman et al., U.S. Pat. No. 5,761,682, and claim 21 is not unpatentable over Liao, U.S. Pat. App. No. 2004/0021681 in view of Dardick, U.S. Pat. App. No. 2002/0075317 further in view of Stanek, U.S. Pat. No. 5,936,554.

**1. INDEPENDENT CLAIM 1: The Examiner's Position Is Flawed As a Matter of Fact and Law.**

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317 teaches the claimed invention of independent claim 1 under 35 U.S.C. §103(a).

Appellant submits, however, there are features of the claimed invention that are neither taught nor suggested by Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317.

Appellant respectfully submits that the Examiner's position is flawed as a matter of fact and law. Indeed, the Examiner has mischaracterized the teachings of Liao further in view of Dardick and the Examiner has not established that Liao further in view of Dardick makes obvious the claimed invention.

Appellants point out that to "establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (See M.P.E.P. § 2143; emphasis added by Appellant).

That is Liao further in view of Dardick does not teach or suggest, "*wherein said user-interface is reconfigurable to move a key within the user-interface,*" as recited in claim 1.

The Examiner alleges Liao discloses a first and second display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user interface.

Examiner relies on passages from Dardick at paragraphs [0008] and [0016] to support

his allegation that Dardick teaches or suggests “*wherein said user-interface is reconfigurable to move a key within the user-interface.*” The Examiner, however, is clearly incorrect as neither of these passages, nor anywhere in the disclosures of Dardick and Liao teach or suggest the plain meaning of the language of Appellant’s claimed invention.

That is, nowhere in either the disclosure of Liao or Dardick is there any teaching or suggestion that, “*wherein said user-interface is reconfigurable to move a key within the user-interface.*” Therefore, Liao in view of Dardick fails to teach or suggest all the claim limitations.

The claimed invention, as exemplarily depicted in Figs. 1-4 of the Application, provides for an application to place special buttons at the top of the user interface. These buttons may be customized for each application and may represent commonly used functions so that the user can directly access them with minimal hand movement. (See Specification at page 13, lines 19-23.)

Therefore, the claimed invention of claim 1 (as well as claims 2, 4-7 and 26, which depend therefrom) is not made obvious over Liao further in view of Dardick.

Therefore, Appellant respectfully submits that the Examiner’s position is clearly unreasonable.

## **2. INDEPENDENT CLAIM 8: The Examiner’s Position Is Flawed As a Matter of Fact and Law.**

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317 teaches the claimed invention of independent claim 8 under 35 U.S.C. § 103(a).

Appellant submits, however, there are features of the claimed invention that are

neither taught nor suggested by Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317.

Appellant respectfully submits that the Examiner's position is flawed as a matter of fact and law. Indeed, the Examiner has mischaracterized the teachings of Liao further in view of Dardick and the Examiner has not established that Liao further in view of Dardick makes obvious the claimed invention.

Appellants point out that to "establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (See M.P.E.P. § 2143; emphasis added by Appellant).

That is Liao further in view of Dardick does not teach or suggest, "*reconfiguring the user-interface by moving a key within the user-interface*," as recited in claim 8.

The Examiner alleges Liao discloses a first and second display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user interface.

Examiner relies on passages from Dardick at paragraphs [0008] and [0016] to support his allegation that Dardick teaches or suggests "*reconfiguring the user-interface by moving a key within the user-interface*." The Examiner, however, is clearly incorrect as neither of these passages, nor anywhere in the disclosures of Dardick and Liao teach or suggest the plain meaning of the language of Appellant's claimed invention.

That is, nowhere in either the disclosure of Liao or Dardick is there any teaching or

suggestion that, “*reconfiguring the user-interface by moving a key within the user-interface.*”

Therefore, Liao in view of Dardick fails to teach or suggest all the claim limitations.

The claimed invention, as exemplarily depicted in Figs. 1-4 of the Application, provides for an application to place special buttons at the top of the user interface. These buttons may be customized for each application and may represent commonly used functions so that the user can directly access them with minimal hand movement. (See Specification at page 13, lines 19-23.)

Therefore, the claimed invention of claim 8 (as well as claims 9-10, 12-14 and 16-21, which depend therefrom) is not made obvious over Liao further in view of Dardick.

Therefore, Appellant respectfully submits that the Examiner’s position is clearly unreasonable.

**3. INDEPENDENT CLAIM 22: The Examiner’s Position Is Flawed As a Matter of Fact and Law.**

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317 teaches the claimed invention of independent claim 22.

Appellant submits, however, there are features of the claimed invention that are neither taught nor suggested by Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317.

Appellant respectfully submits that the Examiner’s position is flawed as a matter of fact and law. Indeed, the Examiner has mischaracterized the teachings of Liao further in view of Dardick and the Examiner has not established that Liao further in view of Dardick makes obvious the claimed invention.



Appellants point out that to “establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (See M.P.E.P. § 2143; emphasis added by Appellant).

That is Liao further in view of Dardick does not teach or suggest, “*instructions for reconfiguring the user-interface by moving a key within the user-interface*,” as recited in claim 8.

The Examiner alleges Liao discloses a first and second display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user interface.

Examiner relies on passages from Dardick at paragraphs [0008] and [0016] to support his allegation that Dardick teaches or suggests “*instructions for reconfiguring the user-interface by moving a key within the user-interface*.” The Examiner, however, is clearly incorrect as neither of these passages, nor anywhere in the disclosures of Dardick and Liao teach or suggest the plain meaning of the language of Appellant’s claimed invention.

That is, nowhere in either the disclosure of Liao or Dardick is there any teaching or suggestion that, “*instructions for reconfiguring the user-interface by moving a key within the user-interface*.” Therefore, Liao in view of Dardick fails to teach or suggest all the claim limitations.

The claimed invention, as exemplarily depicted in Figs. 1-4 of the Application, provides for an application to place special buttons at the top of the user interface. These

buttons may be customized for each application and may represent commonly used functions so that the user can directly access them with minimal hand movement. (See Specification at page 13, lines 19-23.)

Therefore, the claimed invention of claim 22 is not made obvious over Liao further in view of Dardick.

Therefore, Appellant respectfully submits that the Examiner's position is clearly unreasonable.

**4. INDEPENDENT CLAIM 23: The Examiner's Position Is Flawed As a Matter of Fact and Law.**

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317 teaches the claimed invention of independent claim 23.

Appellant submits, however, there are features of the claimed invention that are neither taught nor suggested by Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317.

Appellant respectfully submits that the Examiner's position is flawed as a matter of fact and law. Indeed, the Examiner has mischaracterized the teachings of Liao further in view of Dardick and the Examiner has not established that Liao further in view of Dardick makes obvious the claimed invention.

Appellants point out that to "establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a

reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.” (See M.P.E.P. § 2143; emphasis added by Appellant).

That is Liao further in view of Dardick does not teach or suggest, “*means for reconfiguring the user-interface by moving a key within the user-interface*,” as recited in claim 23.

The Examiner alleges Liao discloses a first and second display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user interface.

Examiner relies on passages from Dardick at paragraphs [0008] and [0016] to support his allegation that Dardick teaches or suggests “*means for reconfiguring the user-interface by moving a key within the user-interface*.” The Examiner, however, is clearly incorrect as neither of these passages, nor anywhere in the disclosures of Dardick and Liao teach or suggest the plain meaning of the language of Appellant’s claimed invention.

That is, nowhere in either the disclosure of Liao or Dardick is there any teaching or suggestion that, “*means for reconfiguring the user-interface by moving a key within the user-interface*.” Therefore, Liao in view of Dardick fails to teach or suggest all the claim limitations.

The claimed invention, as exemplarily depicted in Figs. 1-4 of the Application, provides for an application to place special buttons at the top of the user interface. These buttons may be customized for each application and may represent commonly used functions so that the user can directly access them with minimal hand movement. (See Specification at page 13, lines 19-23.)

Therefore, the claimed invention of claim 23 is not made obvious over Liao further in

view of Dardick.

Therefore, Appellant respectfully submits that the Examiner's position is clearly unreasonable.

**5. INDEPENDENT CLAIM 24: The Examiner's Position Is Flawed As a Matter of Fact and Law.**

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317 teaches the claimed invention of independent claim 24.

Appellant submits, however, there are features of the claimed invention that are neither taught nor suggested by Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317.

Appellant respectfully submits that the Examiner's position is flawed as a matter of fact and law. Indeed, the Examiner has mischaracterized the teachings of Liao further in view of Dardick and the Examiner has not established that Liao further in view of Dardick makes obvious the claimed invention.

Appellants point out that to "establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (See M.P.E.P. § 2143; emphasis added by Appellant).

That is Liao further in view of Dardick does not teach or suggest, "*wherein said user-*

*interface is reconfigurable to move a key within the user-interface,*” as recited in claim 24.

The Examiner alleges Liao discloses a first and second display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user interface.

Examiner relies on passages from Dardick at paragraphs [0008] and [0016] to support his allegation that Dardick teaches or suggests “*wherein said user-interface is reconfigurable to move a key within the user-interface.*” The Examiner, however, is clearly incorrect as neither of these passages, nor anywhere in the disclosures of Dardick and Liao teach or suggest the plain meaning of the language of Appellant’s claimed invention.

That is, nowhere in either the disclosure of Liao or Dardick is there any teaching or suggestion that, “*wherein said user-interface is reconfigurable to move a key within the user-interface.*” Therefore, Liao in view of Dardick fails to teach or suggest all the claim limitations.

The claimed invention, as exemplarily depicted in Figs. 1-4 of the Application, provides for an application to place special buttons at the top of the user interface. These buttons may be customized for each application and may represent commonly used functions so that the user can directly access them with minimal hand movement. (See Specification at page 13, lines 19-23.)

Therefore, the claimed invention of claim 24 is not made obvious over Liao further in view of Dardick.

Therefore, Appellant respectfully submits that the Examiner’s position is clearly unreasonable.

**6. INDEPENDENT CLAIM 25: The Examiner's Position Is Flawed As a Matter of Fact and Law.**

The Examiner alleged that Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317 teaches the claimed invention of independent claim 25.

Appellant submits, however, there are features of the claimed invention that are neither taught nor suggested by Liao, U.S. Pat. App. No. 2004/0021681, further in view of Dardick, U.S. Pat. App. No. 2002/0075317.

Appellant respectfully submits that the Examiner's position is flawed as a matter of fact and law. Indeed, the Examiner has mischaracterized the teachings of Liao further in view of Dardick and the Examiner has not established that Liao further in view of Dardick makes obvious the claimed invention.

Appellants point out that to "establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations." (See M.P.E.P. § 2143; emphasis added by Appellant).

That is Liao further in view of Dardick does not teach or suggest, "*wherein said customizable user-interface is reconfigurable to move a key within the user-interface*," as recited in claim 25.

The Examiner alleges Liao discloses a first and second display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user interface.

Examiner relies on passages from Dardick at paragraphs [0008] and [0016] to support his allegation that Dardick teaches or suggests “*wherein said customizable user-interface is reconfigurable to move a key within the user-interface.*” The Examiner, however, is clearly incorrect as neither of these passages, nor anywhere in the disclosures of Dardick and Liao teach or suggest the plain meaning of the language of Appellant’s claimed invention.

That is, nowhere in either the disclosure of Liao or Dardick is there any teaching or suggestion that, “*wherein said customizable user-interface is reconfigurable to move a key within the user-interface.*” Therefore, Liao in view of Dardick fails to teach or suggest all the claim limitations.

The claimed invention, as exemplarily depicted in Figs. 1-4 of the Application, provides for an application to place special buttons at the top of the user interface. These buttons may be customized for each application and may represent commonly used functions so that the user can directly access them with minimal hand movement. (See Specification at page 13, lines 19-23.)

Therefore, the claimed invention of claim 25 is not made obvious over Liao further in view of Dardick.

Therefore, Appellant respectfully submits that the Examiner’s position is clearly unreasonable.

**7. DEPENDENT CLAIMS 13, 16, 19 and 20: The Examiner’s Position Is Flawed As a Matter of Fact and Law.**

**i. Dependent Claim 13**

Claim 13 depends from claim 8 and recites, “*wherein reconfiguring the user-interface comprises reconfiguring the user-interface in response to a user preference.*” This feature is

not taught or suggested by Liao in view of Dardick, nor did the Examiner ever address Appellant's claimed limitation of a "user preference."

Liao merely discloses the user inputting a signal via one of the user interfaces. However, neither Liao, nor Dardick discloses "*reconfiguring the user-interface comprises reconfiguring the user-interface in response to a user preference.*"

Therefore, dependent claim 13, like independent claim 8, includes at least one element, which is not taught or suggested by the cited prior art references, nor any combination of the cited references.

**ii. Dependent Claim 16**

Claim 16 depends from claim 8 and recites, "*displaying a hot key that triggers the execution of a plurality of instructions in accordance with a state of the laptop computer.*"

This feature is not taught or suggested by Liao in view of Dardick, nor did the Examiner ever address Appellant's claimed limitation of "*the execution of a plurality of instructions.*"

Liao merely discloses at paragraph [0030], that emulation keys and function keys control specific single applications and allow the user to switch between predefined user interfaces.

Therefore, dependent claim 16, like independent claim 8, includes at least one element, which is not taught or suggested by the cited prior art references, nor any combination of the cited references.

**iii. Dependent Claim 19**

Claim 19 depends from claims 18, 17 and 8 and recites, "*wherein the displaying of the application result further comprises displaying a second page of an electronic book on the other one of the first display and the second display.*" This feature is not taught or suggested



by Liao, in view of Dardick and further in view of Huffman.

Huffman merely discloses the display of a single page on a single display device. There is not teaching or suggestion in either Liao, Dardick or Huffman to support Appellant's claimed invention of displaying a second page of an electronic book on the other one of the first display and the second display. The Examiner's motivation to combine the references of "allowing users to more easily read pages of an electronic book," is totally based on hindsight reasoning of Appellant's claimed invention, and not supported by any teaching or suggesting in either Liao, Dardick or Huffman.

Therefore, dependent claim 18, like independent claim 8, includes at least one element, which is not taught or suggested by the cited prior art reference(s), nor any combination of the cited references.

#### **iv. Dependent Claim 20**

Claim 20 depends from claim 8 and recites, "displaying a drop-down menu on the second display." This feature is not taught or suggested by Liao in view of Dardick, nor did the Examiner ever address this limitation therein.

Liao fails to teach or suggest where the Examiner alleges at paragraph [0030], of a drop-down menu on the second display. Liao merely discloses a virtual touchpad, emulation and functions keys.

Therefore, dependent claim 20, like independent claim 8, includes at least one element, which is not taught or suggested by the cited prior art reference(s), nor any combination of the cited references.

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### VIII. CONCLUSION

In view of the foregoing, Appellant submits that claims 1-2 and 4-10, 12-14 and 16-26, all of the claims presently pending in the application, are patentably distinct over the prior art of record and are in condition for allowance. Thus, the Board is respectfully requested to remove the rejections of claims 1-2 and 4-10, 12-14 and 16-26.

The Commissioner is hereby authorized to charge any deficiency in fees or to credit any overpayment in fees to Attorney's Deposit Account No. 50-0481.

Respectfully Submitted,

Date:

January 2, 2008

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**CLAIMS APPENDIX**

1. (Rejected) A laptop computer comprising:  
a first display; and  
a second display attachable to the first display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user-interface,  
wherein said user-interface is reconfigurable to move a key within the user-interface.
2. (Rejected) The computer of claim 1, wherein the second display is rotatably attachable to the first display.
3. (Canceled).
4. (Rejected) The computer of claim 1, wherein the user-interface comprises a keyboard.
5. (Rejected) The computer of claim 1, wherein the user-interface comprises a pointing device.
6. (Rejected) The computer of claim 1, wherein the user-interface is reconfigurable in accordance with an instruction from a software application being executed on the laptop computer.
7. (Rejected) The computer of claim 1, wherein the first display comprises a

touch-sensitive display.

8. (Rejected) A method of driving a laptop computer having a first display attachable to a second display that is touch-sensitive, the method comprising:

displaying a user-interface on the second display;

receiving an input from the user-interface; and

reconfiguring the user-interface by moving a key within the user-interface.

9. (Rejected) The method of claim 8, wherein the first display is rotatably attachable to the second display.

10. (Rejected) The method of claim 8, wherein the user-interface comprises a keyboard.

11. (Canceled).

12. (Rejected) The method of claim 8, wherein reconfiguring the user-interface comprises reconfiguring the user-interface in response to an application state.

13. (Rejected) The method of claim 8, wherein reconfiguring the user-interface comprises reconfiguring the user-interface in response to a user preference.

14. (Rejected) The method of claim 8, wherein reconfiguring the user-

interface comprises reconfiguring the user-interface in response to a user instruction.

15. (Canceled).

16. (Rejected) The method of claim 8, further comprising displaying a hot key that triggers the execution of a plurality of instructions in accordance with a state of the laptop computer.

17. (Rejected) The method of claim 8, further comprising displaying an application result.

18. (Rejected) The method of claim 17, wherein displaying an application result comprises displaying a first page of an electronic book on one of the first display and the second display.

19. (Rejected) The method of claim 18, wherein the displaying of the application result further comprises displaying a second page of an electronic book on the other one of the first display and the second display.

20. (Rejected) The method of claim 8, further comprising displaying a drop-down menu on the second display.

21. (Rejected) The method of claim 8, wherein displaying the user-interface

comprises displaying a color-coded keyboard.

22. (Rejected) A signal-bearing medium tangibly embodying a program of machine-readable instructions executable by a digital processor for driving a laptop computer having a first display attachable to a second display that is touch-sensitive apparatus, the program comprising:

- instructions for displaying a user-interface on the second display;
- instructions for receiving an input from the user-interface; and
- instructions for reconfiguring the user-interface by moving a key within the user-interface.

23. (Rejected) A laptop computer comprising:

- a first display;
- a second display that is touch sensitive and attached to the first display;
- means for displaying a user-interface on the second display;
- means for receiving an input from the user-interface; and
- means for reconfiguring the user-interface by moving a key within the user-interface.

24. (Rejected) A method of providing a display for a laptop computer, the method comprising:

- providing a first display; and
- providing a second display attachable to the first display, wherein the second display comprises a touch-sensitive display that displays a reconfigurable user-interface,

wherein said user-interface is reconfigurable to move a key within the user-interface.

25. (Rejected) A laptop computer comprising:

a first display; and

a second display attachable to the first display, wherein the second display comprises a customizable user-interface,

wherein said customizable user-interface is reconfigurable to move a key within the user-interface.

26. (Rejected) The computer of claim 1, wherein said user-interface is further reconfigurable to one of:

remove a key from the user-interface;

change a label on a key on a user-interface; and

change a color of a key on the user-interface.

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**EVIDENCE APPENDIX**

Not applicable.



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**RELATED PROCEEDINGS APPENDIX**

Not applicable.